REMARKS

Applicant's representative thanks the Examiner for courtesies extended during the telephonic interview of July 31, 2006 with Olivia J. Tsai to discuss claim amendments that may overcome the prior art. In particular, the aspects of quality scoring of items, extracting attributes from high scoring items, and automatically applying those attributes to other items were discussed.

Claims 1-4 and 7-28 are currently pending in the subject application and are presently under consideration. Claims 5-6 have been cancelled (and its content transferred to the independent claims) and claims 1, 18-20, 23, and 27-28 have been amended herein. A listing of claims and associated status identifiers can be found on pages 2-6 of the Reply.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Claim Objection

Claim 23 is objected to for being dependent upon claim 24. Claim 23 has been amended to depend from claim 20, as correctly assumed by the Examiner. Accordingly, this objection should be withdrawn.

II. Rejection of Claim 18 Under 35 U.S.C. §112

Claim 18 stands rejected under 35 U.S.C. §112, second paragraph. Claim 18 has been amended to alleviate any perceived concerns regarding improper hybrid form. Therefore, this rejection should be withdrawn.

III. Rejection of Claim 18 Under 35 U.S.C. §101

Claim 18 stands rejected under 35 U.S.C. §101 in conjunction with the rejection under 35 U.S.C. §112. As amended, claim 18 is of proper form, rendering this rejection moot.

IV. Rejection of Claims 1-16, 18, and 19 Under 35 U.S.C. §102(b)

Claims 1-16, 18, and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Young *et al.* ("WordPerfect 6.1 for Windows for Dummies," Second Edition, IDG Books Worldwide, Inc., 1994, Chapter 7: Spelling, Grammar, and the Mighty Thesaurus). Claims 5-6 have been cancelled; this rejection is moot regarding those claims. This rejection should be withdrawn for at least the following reason. Young *et al.* does not describe each and every element of the subject claims.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "***each and every element*** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *See In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The invention relates to a continual reassessment of quality in a document or set of documents. In particular, amended independent claims 1 and 19 recite a similar limitation: ***at least one filter that analyzes quality scores in view of a predetermined threshold of quality, the at least one filter extracts attributes from an item with a score that exceeds the predetermined threshold and automatically applies the attributes to the remaining items.*** In an example, an item (*e.g.,* a paragraph) with a quality score above a threshold of 60 would automatically call procedures to extract positive qualities associated with that item (*e.g.*, repetition of useful phrases) and duplicate them throughout the rest of the document set (*See* pg. 7, line 25 – pg. 8, line 21). Young *et al.* fails to disclose such aspect of the invention as claimed.

The Examiner contends that Young *et al.* provides such teaching at pgs. 98-99 (*See* Office Action dated May 31, 2006, pg. 7). Applicant's representative respectfully disagrees with such contention.

Rather, Young *et al.* involves tools to review a document, such as spell check, grammar check, and a thesaurus. At the indicated passage, the cited reference describes readability scores (*e.g.*, 100 is grade 4 level, 50-60 is high school level, and 0-30 is undergraduate level) that evaluate the overall document. However, Young *et al.* does not

relate such scoring to ***a predetermined threshold of quality,*** and instead simply provides a user with the "amusing and occasionally useful" scoring result (*See* pg. 99).

On the contrary, applicant's invention not only ***analyzes quality scores in view of a predetermined threshold of quality,*** but ***extracts attributes from an item with a score that exceeds the predetermined threshold.*** For instance, if a threshold was 50 and the analyzed score of an item was 70, the filter would extract attributes from the high scoring item since the score exceeded the threshold. Such attributes are then ***automatically*** applied to the remaining items. Young *et al.* is silent with respect to ***a predetermined threshold of quality*** and ***the extraction of attributes*** from an item, let alone an ***automatic application*** of those attributes to other items.

In view of at least the foregoing, it is readily apparent that Young *et al.* does not describe applicant's invention as recited in independent claims 1 and 19 (and associated dependent claims 2-4, 7-16, and 18). Thus, this rejection should be withdrawn.

V. Rejection of Claims 20-28 Under 35 U.S.C. §102(b)

Claims 20-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Horvitz *et al.* (U.S. 6,021,403). This rejection should be withdrawn for at least the following reason. Horvitz *et al.* does not describe each and every element of the subject claims. In particular, amended independent claims 20 and 27-28 recite a similar limitation: analyzing the items in accordance with the quality controls ***as compared to a predetermined threshold; automatically determining strengths and deficiencies in the documentation set*** based upon the analysis of the items; and ***repeating the determined strengths and removing the determined deficiencies from all instances in the documentation set.***

Horvitz *et al.* discusses an aspect where a monitoring agent computes the probability that a user needs help. If that probability exceeds a threshold, a small window appears with suggested assistance areas (*See* col. 24, ll. 10-27).

Although the cited reference utilizes a threshold value, such teaching does not ***automatically determining strengths and deficiencies in the documentation set*** based upon the analysis of quality as compared to the threshold. Furthermore, the context of Horvitz *et al.* in terms of the threshold value is wholly distinct from finding ***strengths***

and deficiencies in a documentation set and ***applying*** those aspects throughout the documentation set.

In view of at least the foregoing, it is readily apparent that Horvitz *et al.* fails to describe applicant's invention as recited in independent claims 20 and 27-28 (and associated dependent claims 21-26). Accordingly, this rejection should be withdrawn.

VI. Rejection of Claim 17 Under 35 U.S.C. §103(a)

Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Young *et al.* This rejection should be withdrawn for at least the following reason. Claim 17 depends from independent claim 1. As described above, Young *et al.* fails to teach or suggest all aspects of independent claim 1, and this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP492US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/
Himanshu S. Amin
Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731